

MINUTES OF THE REGULAR MEETING OF THE TRINIDAD CITY COUNCIL
WEDNESDAY, JULY 26, 2017

I. CALL TO ORDER

- Mayor Miller called the meeting to order at 6:00PM. Council members in attendance: Ladwig, Miller, Baker, Rotwein. – **West Absent**
- City Staff in attendance: City Manager Dan Berman, City Clerk Gabriel Adams, City Engineer Steve Allen.

II. PLEDGE OF ALLEGIANCE

III. ADJOURN TO CLOSED SESSION

1. Personnel review for City Manager Pursuant to Government Code Section 54957

IV. RECONVENE TO OPEN SESSION & CLOSED SESSION REPORT – Nothing to report.

V. APPROVAL OF AGENDA

Motion (Rotwein/Ladwig) to approve the agenda as amended, adding Council Reports after Minute Approval. Passed 4-0.

VI. APPROVAL OF MINUTES – May 10, 2017 cc, June 01, 2017 scc, & June 28, 2017 cc2

Motion (Rotwein/Ladwig) to approve the minutes as amended. Passed 4-0.

VII. COUNCIL REPORTS

Ladwig: Nothing to report.

Baker: Adhoc STR review committee with Councilmember West will complete the work and report to Council at a future meeting.

Rotwein: HazMat contribution due. OES preparing for fire season, conducting spill training in Humboldt Bay, evaluating Tsunami Siren issues in Trinidad, new Coast Guard Commander Greg Miller. Trails Committee report: All trails are in need of repair, signage, and poison oak removal. At the last meeting I volunteered to lead a personnel salary schedule review, include job descriptions, and benefits.

Miller: Update on Community Choice Energy program.

VIII. ITEMS FROM THE FLOOR

Mike Pinske – Trinidad

I was informed by email of an incident at a vacation rental on Parker Creek Drive. While on the Planning Commission, we developed a complaint flow-chart that gave direction and outlined how to handle incidents like this. Enforcement is a key part of any ordinance. The City should hire someone to deal with only STR issues. Use Occupancy Tax funds to pay for this position.

Shirley Laos – Trinidad Rancheria

Regarding the Tsunami Siren, the height was a point of contention between the City and a handful of residents that objected to it being located there. The Rancheria supported it much higher, and asked that it be evaluated in the future. That never happened.

Dorothy Cox – Trinidad

I volunteered to be on the noise committee.

IX. CONSENT AGENDA

1. Staff Activity Reports for July 2017.
2. Law Enforcement Report for June 2017
3. Resolution 2017-10; Establishing a Fiscal Reserve Policy for the City of Trinidad
4. Liability Claims for Damages from Mike Reinman
5. Planning Commission Vacancy Notice to replace position left vacant by resignation of Commissioner Laura Scott
6. Scope of Services with Streamline Planning for Van Wycke Trail Project CEQA and Permitting.

Motion (Rotwein/Ladwig) to approve the Consent Agenda as submitted. Passed 4-0.

X. DISCUSSION/ACTION AGENDA:

1. Presentation/Discussion Regarding Memorial Lighthouse Stabilization.

City Manager Berman explained that SHN Consulting Engineers and Geologists have completed an assessment of the landslide and the risks it poses to both Edwards Street and the Memorial Lighthouse. Staff is not proposing any Council action now. The next steps planned by Staff are to share this report with FEMA and Cal OES to see if they concur with the report and will provide financial assistance to implement the recommendations. Berman introduced **Gary Simpson** from SHN.

Simpson presented a brief description of the slide area and a geologic profile of the bluff, and explained 2 conclusions; 1) short-term potential of cracked foundation and compromised lighthouse if we experience another rainy season like 2016-2017, and 2) Edwards Street may be compromised as well.

Option 1: Relocate the Lighthouse to another site.

Option 2: Moving it slightly to the Northeast (20-30 feet) would be favorable from a geotechnical perspective.

Protecting the street will require a soldier pile retaining wall.

City Manager Berman explained that the City submitted claims to FEMA for storm damage that has been accepted for reimbursement. An engineer has been assigned by FEMA to review the Lighthouse area. The big question is whether or not protecting Edwards Street would qualify for funding. We should be hearing back from FEMA soon.

Public comment included:

Susan Ateyah – Trinidad

Who has the most to lose if Edwards Street fails? Maybe we should look to the fishing industry to help preserve the street.

Paul Mann – Times-Standard

Asked about slope percent. Simpson responded that it was approximately 50%. Also asked if Berman had an estimate on how long it would take to get a response from FEMA. Berman had no idea.

Peter Cohen – Trinidad Area Resident

Before the rainy season begins, maybe the most valuable items should be removed from the site. Urged the Council to not put this off.

Dana Hope – Trinidad Civic Club

If the Trail is on secure ground but the lighthouse needs to be moved, we should do it. The Civic Club pledged all their funds to make this happen.

Richard Johnson – Trinidad Area Resident

Is the weight of the improvements driving the slippage? Simpson explained that was highly unlikely, relative to the weight of the material on the cut bank that was removed to create that space.

Council comments included:

Rotwein: I'm in favor of keeping the Lighthouse in its current area, so moving back seems like the way to go.

Simpson agreed, suggesting moving the Lighthouse back and constructing a wall to protect Edwards Street. The 2 projects combined will be a significant improvement to the area.

Brainstorming Session:

Peter Cohen: Cut the Lighthouse and move it upslope. **City Manager Berman** agreed.

Rotwein: Does the Civic Club have the funds to move the Lighthouse? I support the City facilitating the permit process, but the Civic Club should bear the cost of moving the Lighthouse.

Dana Hope explained that the Civic Club gave her authority to pledge the entire fund to the cause, and begin a fundraising campaign.

*Motion (Rotwein/Ladwig) to support the Civic Club efforts to move the Lighthouse and assist and support the permitting process should moving it be pursued. **Passed 4-0.***

2. Presentation/Discussion regarding upcoming OPC Stormwater Project Construction.

City Manager Berman explained that the City is preparing to construct three components of the Phase 1 Stormwater Project that were not built during the initial construction phase, and have not been funded through the Ocean Protection Council. City Engineer Steve Allan of GHD will provide a presentation of upcoming construction work and its context in the larger effort to meet the state mandate to eliminate stormwater runoff into Trinidad Bay.

Steve Allen presented an outline/overview of the project, including:

- ASBS Project Summary
- Geophysical & Groundwater Investigation
- Groundwater Modeling
- Groundwater Evaluation Conclusions
- Review of Past and Upcoming Project
 - Hector Rain Garden
 - East Street & View Street
 - West Street
- Lessons Learned – Bioswales or Grassy Swales
- Revised Design
 - New Turf Block Product
 - Less Deep
 - Permeable Pavers
 - Less Ponding
- Next Steps (construction in September/October)

Public comment included:

Susan Ateyah – Trinidad

Parking on Hector Street is out of control. Taking this area away will make it worse.

Shirley Laos – Trinidad Rancheria

Are their calculations for the amount of water captured in this phase that will reduce the amount needed to capture in phase 2?

Jim Cuthbertson – Trinidad

Will Van Wycke be affected?

Dorothy Cox – Trinidad

The swale in front of my house does not drain. I don't believe it was designed properly. Why are drains needed on East and West? Complained about encroachments on Parker and Underwood. Concerned about broken water pipes that occurred at her house during phase 1 construction.

Victoria Sackville – Trinidad

GHD worked around the Cherry Trees, shrubs, and cityscape. My hedge helps drink stormwater as it infiltrates on Ocean Avenue.

Presentation item only. No decision was made.

3. Discussion/Decision regarding Ocean Avenue Encroachments and Right of Way Recovery Project.

City Manager Berman explained that the scope of work to recover the City of right of way and create parking consistent with the other properties on the street at both locations has been developed and offered for bid. The low bid for both projects was \$8400. The project purpose is to provide parking in front of the both properties without encroaching on the road width needed for safe two-way traffic. The project also provides consistency between these properties and their neighbors up and down the street.

Berman also explained that the City needs to move to a more general approach to developing rights of way. We don't want these projects held up while policies are generated because the City has a right to use and clear the public way.

Public comment included:

Michelle McHenry - Trinidad (407 Ocean Avenue owner)

I agreed to allow the City to remove the curb in front of my home, and hope this can be done without disturbing my rhodie plants.

Dorothy Cox – Trinidad

A clear recommendation to remove the obstructing development and hedges has been presented by the City Manager. I hope the Council will support it.

Tom Davies – Trinidad

Support the City Manager's recommendation. The cracked sidewalk in front of my house should also be removed. Ocean Avenue is the de-facto main street out of town.

Victoria Sackville – Trinidad

- 1) Safety issue: Everyone on Ocean Avenue has a different perspective and opinion. I don't believe Dorothy Cox's point of view is shared by all. Other residents do not agree that the street is a highway and all cars speed. There have been no accidents on Ocean that I'm aware of. Please find out how other residents feel about this.
- 2) The street is very pleasant – even in the summer. People believe what they say is true, but it's not even in the realm of reality.
- 3) Showed various photo examples of encroachments throughout town.
- 4) Propose that she's given 2 years for new plants to grow behind the hedge on her property and keep the existing hedge cut back to where she had it cut this week. We want to help the City but not be held at a double standard, inconsistently. This is a very reasonable request.

Council comments included:

Baker: I'm a surveyor. I've never seen a municipality handle issues like this. We need to follow the law, equitably. During the Stormwater construction, the City gave away 2 feet to some property owners to spare their landscaping. I propose that if we have 40' of right-of-way, take 2 feet on either side for the purpose of landscaping and paint fog lines 9.5' on each side of the center of roadway to delineate the traveled roadway and make sure the remainder is for parking. This may take into account allowing 2 feet for all residents. I've asked for engineering and planning consulting on this for at least a year.

Ladwig: Approve the Manager's recommendations as long as they follow Baker's guidelines for Ocean Ave., and apply the same guidelines in the other areas of town so long as it's clear.

Miller: This meets the objectives of the resident, leaving the escalonia bush within 2 feet of the right-of-way.

*Motion (Rotwein/Ladwig) to proceed with plan to remove the curb at 407 Ocean Avenue and work with property owner at 364 Ocean to bring hedge into compliance with 6' setback at owner's expense, and direct the City Engineer to pursue adding fog lines to roads in town when applicable projects allow, subject to regulatory review and concurrence. **Passed 4-0.***

XII. ADJOURNMENT

Meeting ended at 9:20 pm.

Submitted by:

Gabriel Adams
City Clerk

Approved by:

Dwight Miller
Mayor